

Notice of Intent to Adopt a Rule

LSA Document #13-344

Under [IC 4-22-2-23](#), the State Department of Toxicology intends to adopt a rule concerning the following:

OVERVIEW: Adds [260 IAC 2](#) to add definitions, to establish standards for selection of breath test operators, training of breath test operators, and certification and recertification of breath test operators, to authorize certified breath test operators to make replacements and adjustments to breath test instruments not related to calibration, to preserve breath test operator certifications issued under repealed rule, to establish standards for selection of breath test equipment, inspection of breath test instruments, and for certification of breath test instruments, to preserve breath test instrument certifications issued under repealed rule, to establish standards for selection and certification of chemicals, and to establish approved method for BAC DataMaster breath analysis and Intox EC/IR II breath analysis. Repeals [260 IAC 1.1-0.5](#), [260 IAC 1.1-1](#), [260 IAC 1.1-2](#), [260 IAC 1.1-3](#), [260 IAC 1.1-4-8](#), and [260 IAC 1.1-5](#). Questions concerning the proposed rule may be addressed to the Small Business Regulatory Coordinator for this rule. Statutory authority: [IC 9-30-6-5](#).

For purposes of [IC 4-22-2-28.1](#), the Small Business Regulatory Coordinator for this rule is:

Teri Kendrick, General Counsel
Indiana State Department of Toxicology
550 West 16th Street
Indianapolis, IN 46202
(317) 921-5002
tkendrick@isd.t.in.gov

For purposes of [IC 4-22-2-28.1](#), the Small Business Ombudsman designated by [IC 5-28-17-5](#) is:

Eric P. Shields
Indiana Economic Development Corporation
One North Capitol, Suite 700
Indianapolis, IN 46204
(317) 234-3997
smallbizombudsman@iedc.in.gov

Resources available to regulated entities through the small business ombudsman include the ombudsman's duties stated in [IC 5-28-17-5](#), specifically [IC 5-28-17-5\(9\)](#), investigating and attempting to resolve any matter regarding compliance by a small business with a law, rule, or policy administered by a state agency, either as a party to a proceeding or as a mediator.

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